

FAX TRANSMISSION**OFFICIAL****DATE:** June 16, 2003**PTO IDENTIFIER:** Application Number 09/743,479 Conf. #2847
Patent Number**Inventor:** Penny Corrigan**MESSAGE TO:** I. Ghali**FAX RECEIVED****FAX NUMBER:** (703) 872-9307

JUN 17 2003

GROUP 1600**FROM:** CONNOLLY BOVE LODGE & HUTZ LLP
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PTO/SB/97 (12-97)

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Request for Reconsideration; and
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9/ Reg for Recons
Docket No.: 21854-00016-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Penny Corrigan

Conf. No.

Application No.: 09/743,479

Group Art Unit: 1615

Filed: January 10, 2001

Examiner: I. Ghali

For: BIOCIDAL PACKAGING SYSTEM

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated April 14, 2003, the Examiner is requested to consider the following remarks which should clarify the patentability of the remaining claims 2-6.

REMARKS

Claim 2 was rejected under 35 U.S.C. § 102(b) as being anticipated by WO 95/06690 ('670). The Office Action asserts that this reference discloses a film containing a polymer blend comprising vinyl acetate or vinyl alcohol, ethylene glycol and antifungals. The antifungals referred to by the Examiner are disclosed in the reference on page 6, line 30 through page 7, line 5. However, the reference is quite clear that the antifungal is a "biological active substance having curative or therapeutic value for human beings or non-human beings." In other words, the broad recitation of an antifungal need not relate to the claimed antifungal agent activated by the presence of moisture. As a matter of fact, therapeutic antifungals are typically organic compounds that exhibit

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